

Message

From: Ziadeh, Ramez [rziadeh@pa.gov]
Sent: 6/5/2018 1:20:33 PM
To: Rodrigues, Cecil [rodrigues.cecil@epa.gov]
CC: Armstead, John A. [Armstead.John@epa.gov]; Fields, Jenifer [fields.jenifer@epa.gov]; Coe, Mary [Coe.Mary@epa.gov]; Jones, Satrina [jones.satrina@epa.gov]
Subject: Re: TSCA PCB remediation waste verse PCB containing materials

Ok. Please have Sa Trina work with Paula Sviben from my office on dates. Thanks.

Get [Outlook for iOS](#)

From: Rodrigues, Cecil <rodrigues.cecil@epa.gov>
Sent: Tuesday, June 5, 2018 9:16:13 AM
To: Ziadeh, Ramez
Cc: Armstead, John A.; Fields, Jenifer; Coe, Mary; Jones, Satrina
Subject: RE: TSCA PCB remediation waste verse PCB containing materials

Ramez: we would like to have the meeting in our Philadelphia Office. I will have my assistant SaTrina Jones contact Aneca to help find some dates.

Cecil.

From: Ziadeh, Ramez [mailto:rziadeh@pa.gov]
Sent: Monday, June 04, 2018 3:17 PM
To: Rodrigues, Cecil <rodrigues.cecil@epa.gov>
Cc: Armstead, John A. <Armstead.John@epa.gov>; Fields, Jenifer <fields.jenifer@epa.gov>; Coe, Mary <Coe.Mary@epa.gov>
Subject: RE: TSCA PCB remediation waste verse PCB containing materials

Good afternoon Cecil,

We prefer to have a meeting with you and EPA Region III staff to discuss the PCB issue and next steps. Will you and your staff be willing to meet with us in Harrisburg? We can take the lead on scheduling this meeting in the next couple of weeks. Thanks.

Ramez

From: Ziadeh, Ramez
Sent: Thursday, May 31, 2018 4:24 PM
To: 'Rodrigues, Cecil' <rodrigues.cecil@epa.gov>
Cc: Armstead, John A. <Armstead.John@epa.gov>; Fields, Jenifer <fields.jenifer@epa.gov>; Coe, Mary <Coe.Mary@epa.gov>
Subject: RE: TSCA PCB remediation waste verse PCB containing materials

Thank you, Cecil. I will reach out to you next week to set up a follow call to discuss this issue.

From: Rodrigues, Cecil [mailto:rodrigues.cecil@epa.gov]
Sent: Wednesday, May 30, 2018 5:21 PM
To: rziadeh@pa.gov

Cc: Armstead, John A. <Armstead.John@epa.gov>; Fields, Jenifer <fields.jenifer@epa.gov>; Coe, Mary <Coe.Mary@epa.gov>

Subject: TSCA PCB remediation waste verse PCB containing materials

Ramez,

Following up on our call listed below is an explanation for the different limits for PCBs. Also attached are excerpts from *40 CFR Part 761, PCB Regulations* with highlights related to PCB Remediation Waste.

Generally, the 2 ppm addresses the use of PCB-containing materials. The 50 ppm does not address use. Rather, the 50 ppm addresses storage and disposal of PCB-containing materials.

2 ppm: PA regulations allow the use of PCB-containing materials as clean fill and regulated fill. PADEP's Clean Fill Policy allows the use of PCB-containing materials (including soil, gravel and concrete) as fill in an unrestricted manner. PADEPs' Beneficial Use Permit allows for the use of PCB-containing materials which exceed the levels in the Clean Fill policy as construction material.

The use of PCB-containing materials is banned under TSCA § 6(e)(2) unless authorized by EPA. EPA's use authorizations for PCBs and PCB-containing materials in 40 CFR 761.30 do not provide for the use of PCB-containing materials as fill or construction materials. Section 761.20(a) of the PCB regulations prohibit the use of PCBs at any concentration, other than in a totally enclosed manner, without an exemption. Any concentration is defined in the PCB regulations at Section 761.3 as the "quantifiable level/level of detection" which specifies 2 ppm.

50 ppm: 50 ppm is the concentration at which PCBs are regulated for storage and disposal under the PCB regulations. As defined in Section 761.3 of the PCB regulations, "PCB remediation waste" is materials which are currently at any concentration where the original source was greater than or equal to 50 ppm beginning on July 2, 1979; or materials which are currently at any concentration if the PCBs are spilled or released from a source not authorized for use under the PCB regulations. PCB remediation waste includes, but is not limited to, soil, concrete, gravel, sediment, buildings and other man-made structures, porous surfaces and non-porous surfaces. As per Section 761.50(b)(3), PCB remediation waste is regulated for cleanup and disposal in accordance with Section 761.61. Section 761.61(a)(5)(i)(B)(2)(ii) and (iii) and 761.61(b)(2) specify the manner of disposal of PCB remediation waste. The least stringent method for disposal of less than 50 ppm PCB remediation waste, with conditions, is a state permitted Subtitle D landfill.

If you have any questions, please give me a call. After you have a chance to review the materials please give me a call so that we can schedule a meeting to resolve this issue.

Thanks. Cecil.

Cecil Rodrigues

Deputy Regional Administrator (3DRA00)

EPA Region III

1650 Arch Street

Philadelphia, PA 19103

215.814.2683

215.814.2901 (fax)

iPhone: 215.266.2960

rodrigues.cecil@epa.gov